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HAWAII CIVIL RIGHTS COMMISSION

STATE OF HAWAII

Case No. 92-005
HCR 92-005

In the matter of LINDA C. TSEU,
as Executive Director, Hawaii
Civil Rights Commission,

Petitioner,

vs.

JOHN DOES 1-10, JANE DOES 1-10,
DOE PARTNERSHIPS 1-10, DOE
CORPORATIONS 1-10

Respondents.

DR 92-005

ORDER ASSIGNING PETITION TO HEARINGS EXAMINER

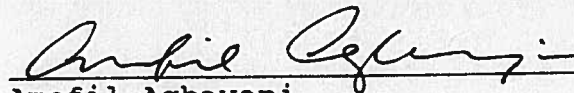
The Executive Director's Petition for Declaratory Relief seeking a declaration that independent contractors are covered under Chapter 378 was filed on June 1, 1992. No actual or potential respondents were named, and no particular facts giving rise to the petition were presented.

The Commission believes that resolution of whether independent contractors are covered by Chapter 378 is necessary and desirable. Pursuant to H.A.R. § 12-46-63(b)(3), the Commission exercises its discretion to assign the Petition to the hearings examiner for further proceedings in accordance with subchapter 2, H.A.R. § 12-46-61 et seq.

In the further proceedings, the Petitioner must file an Amended Petition naming a Respondent and containing a statement of

facts giving rise to the Petition within fourteen (14) days of this order. The Commission believes that under the Hawaii Administrative Procedures Act, H.R.S. § 91-8, a declaratory ruling can only be made in an adversarial proceeding where both sides of an issue are presented. The Commission anticipates that the proceedings will be conducted as fairly and expeditiously as possible affording all parties due process.

DATED: Honolulu, Hawaii. August 12, 1992.



Amefil Agbayani
Chairperson